

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 5-8, 12-15, 19-22, and 26-29 are pending in this application. Claims 2-4, 9-11, 16-18, and 23-25 are canceled by the present response without prejudice. Claims 1-28 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 5,566,291 to Boulton et al. (herein "Boulton") in view of U.S. patent 6,433,802 to Ladd.

Initially, applicant and applicants' representative wish to thank Examiners Tran and Kincaid for the interview granted applicants' representative on April 15, 2004. During that interview the outstanding rejections were discussed in detail. Further, during that interview applicants' representative presented comments to the Examiners as to how the claims as currently written distinguished over the applied art, and claim amendments were discussed to clarify the claims over the applied art. During the interview the Examiners indicated they would further consider such amendments and comments when formally presented in a filed response.

Addressing the above-noted rejection, that rejection is traversed by the present response.

As discussed during the interview, the claims are amended by the present response to clarify the context of the systems and method recited in the claims. Specifically, independent claim 1 now clarifies that "the target application is an image forming device and the interface is an operation panel of the image forming device". The other independent claims are similarly amended.

According to such a feature clarified in independent claim 1, the claims are directed to a system in which a user's selection of operations on an interface of an image forming device, for example a facsimile, a copier, a printer, a scanner, are monitored. That is, as clarified in the claims, how a user utilizes an interface of an image forming device is monitored. Further,

that monitoring is effectuated without the user having to directly start a monitoring program. The features clarified in the claims are believed to clearly distinguish over the applied art.

First, with respect to the features now clarified in each of the independent claims, the Office Action previously recited Boulton at column 10, lines 35-46 to disclose the features in previously pending dependent claims 3, 10, 17, and 24.<sup>1</sup> However, applicants note that at column 10, lines 35-46 Boulton does not provide any teaching or suggestion of monitoring a user's selection of operations on an interface of an image forming device. Thus, the claims are believed to clearly distinguish over the applied art.

Moreover, and as noted above, according to a further feature recited in each of independent claims 1, 8, 15, and 22, a monitoring operation operates to directly monitor "user selections of the plurality of operations of the interface by the user automatically upon start-up of the target application [means] without the user directly starting a monitoring program". As discussed in the present specification for example at page 20, line 3 et seq., when a target application MB starts up, the MB object calls a function startMonitoring of a CMonitoringIF object 1305, which begins logging data corresponding to a user's usage of a user interface 510. As is clear from such a description, such a monitoring is automatic upon start-up of the target application and does not require the user to directly execute a specific monitoring program, i.e. the user does not need to take any action besides starting up the target application to begin the monitoring.

The above-noted features are believed to clearly distinguish over the applied art.

The outstanding Office Action appears to recognize that the primary reference of Boulton does not teach the above-noted feature, but now cites the teachings in Ladd to disclose such features. Specifically, the outstanding Office Action states:

The difference between Boulton et al. and the claim is the step of automatically upon start-up of the target application

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<sup>1</sup> Office Action of February 6, 2004, page 4, lines 11-13.

without the user directly starting a monitoring program. Ladd shows the limitation at column 5, lines 38-46 and column 6, lines 40-47. Ladd discloses the step of monitoring the start, progress and completion of a parallel application without taking any action by the user and "the application monitor monitors the user application file and maintains statistics on the user application file". The user does not need to execute the application before monitoring but the system does the part of monitoring by itself. It would have been obvious to one of ordinary skill in the art, having the teachings of Boulton et al. and Ladd before them at the time the invention was made to modify a method of monitoring taught by Boulton et al. to include the step of automatically monitoring user inputs of Ladd, with the motivation being to make it easy for the user by not requiring him to directly execute a specific monitoring program as taught by Ladd.<sup>2</sup>

Applicants traverse the above-noted position for the following reasons. First, applicants submit that Ladd does not in fact teach or suggest a monitoring operation without a user starting a monitoring program. Further, Ladd does not even teach a monitoring program in the sense of something even similar to the claimed features.

In further detail, Ladd is directed to a parallel programming development environment. Ladd discloses that the device therein includes a graphical user interface (GUI) 116 for a user to create parallel applications 112, generate code for the parallel applications 112, distribute the parallel applications 112, run the parallel applications 112, and monitor the progress of the parallel applications 112.<sup>3</sup>

In that way, the teachings in Ladd even directed to the monitoring operation are not at all even similar to the monitoring in the claimed invention. In the claimed invention the monitoring is directed to monitoring a user's usage of an interface. In Ladd the monitoring is directed to monitoring the progress of a parallel application that a user sets up by a GUI 116. Ladd does not teach or suggest any monitoring of the user's usage of the GUI 116, but

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<sup>2</sup> Office Action of February 6, 2004, page 3, line 13, to page 4, line 4.

<sup>3</sup> Ladd at column 4, line 65 to column 5, line 2.

instead only teaches monitoring progress of a parallel application 112. Thus, the teachings in Ladd are not even similar to the claimed features with respect to the monitoring.

Moreover, Ladd does not even teach or suggest that the monitoring operation of the progress of the parallel application 112, which again is completely different from the claimed monitoring operation, is automatic upon start-up. In fact, in Ladd the user must take steps to begin the parallel application for it to be monitored. Ladd specifically states:

To perform all of the monitoring, running, distribution, creation, and generation tasks, the user GUI 116 is divided into at least two parts. The first part is the application screens 200. The application screens 200 provide an environment for users to piece together a parallel application using objects that correspond to pieces of the application. Once a *user* has pieced together the objects using the application screens 200, the application screens 200, through the user GUI 116, pass the user applications 112 to the code generator 204 and process distribution server 206.<sup>4</sup>

As is clear from the above-noted disclosure in Ladd, in Ladd the user must set up the parallel application 112 prior to any monitoring, and the user pieces together, through GUI 116, all necessary operations for the monitoring. Stated another way, in Ladd if the user does not take any actions to establish a monitoring operation, no monitoring takes place. That is in direct contrast to the claimed features in which the monitoring operation begins without the user directly starting the monitoring program.

Ladd does go on to note that the application monitor 212 can monitor the parallel application 112 at column 5, line 40 et seq. However, as is clear from the above-noted passage in Ladd at column 5, lines 3-11 the user must establish all the necessary processes through the GUI 116 to begin the monitoring by the application monitor 212.

In such ways, Ladd does not even teach the features relied upon in the Office Action.

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<sup>4</sup> Ladd at column 5, lines 8-11 (emphasis added).

Moreover, applicants submit that clearly there cannot be any incentive or motivation to one of ordinary skill in the art to modify the teachings of Boulton in view of those in Ladd as the teachings in the two different references are completely unrelated.

Boulton is directed to a method for implementing a user feedback and Ladd is directed to a parallel programming development environment. Ladd discloses that an application monitor can monitor a parallel application and maintain statistics of the execution of the parallel application 112. As Boulton has no interest or has any relevance whatsoever to a parallel application, such a monitoring in Ladd is completely irrelevant to the teachings in Boulton. Clearly the teachings in the two references are completely unrelated and have no relevance whatsoever to one another.

Stated another way, how is it possible for one of ordinary skill in the art to use teachings of a monitoring of a parallel application 112 as in Ladd in the device in Boulton that has nothing whatsoever to do with parallel applications? Simply, the teachings are completely unrelated.

For such further reasons, the teachings in Ladd do not overcome the deficiencies in Boulton.

Further, applicants respectfully submit that Boulton could not even be modified by the teachings in Ladd to meet the claim limitations.

More particular, Boulton is specifically directed to a device for allowing user feedback. In Boulton “feedback” is defined as comments, suggestions, questions, or other information sent by a user or learner to an author of the learning material, reviewer of the learning system, providing of a product, process, service, or issue, or other person responsible for improvement, maintenance, organization, or content of a product, process, or service”.<sup>5</sup> In such ways, in Boulton the user is *required* to input the monitored information to be

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<sup>5</sup> Boulton at column 8, lines 59-65.

provided to the reviewing party. As such, it would be impossible to modify Boulton to start a monitoring progress automatically because in Boulton the entire monitoring process is the *user typing in comments*. It is simply not possible for such an operation to occur without a user starting the monitoring as again in Boulton the monitoring is the user typing in comments or suggestions.

In such ways, it would not even have been possible to one of ordinary skill in the art to modify the teachings in Boulton in view of the teachings of Ladd in the manner suggested in the outstanding Office Action.

In view of these foregoing comments, applicants respectfully submit that clearly no combination of teachings of Boulton in view of Ladd would have been suggested to one of ordinary skill in the art, and even such a combination of teachings does not meet the claim limitations.

In such ways, applicants respectfully submit that clearly claims the pending claims patentably distinguish over the combination of teachings of Boulton in view of Ladd.

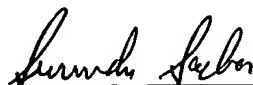
As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
GJM:SNS\la

  
\_\_\_\_\_  
Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Surinder Sachar  
Registration No. 34,423